

PATENT COOPERATION TREATY

From the:
INTERNATIONAL SEARCHING AUTHORITY

To:

PCT

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

(PCT Rule 43bis.1)

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		WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY	
		(PCT Rule 43bis.1)	
		Date of mailing (day/month/year) 19 AUG 2004	
Applicant's or agent's file reference 20960PCTAWT		FOR FURTHER ACTION See paragraph 2 below	
International application No. PCT/AU2004/000863	International filing date (day/month/year) 30 June 2004	Priority date (day/month/year) 30 June 2003	
International Patent Classification (IPC) or both national classification and IPC Int. Cl. 7 C08L 101/12, G03G 9/125, G03G 9/097			
Applicant RAUSTECH PTY LTD et al			

1. This opinion contains indications relating to the following items:

<input checked="" type="checkbox"/>	Box No. I	Basis of the opinion
<input type="checkbox"/>	Box No. II	Priority
<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/>	Box No. VI	Certain documents cited
<input type="checkbox"/>	Box No. VII	Certain defects in the international application
<input type="checkbox"/>	Box No. VIII	Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the IPEA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaaustralia.gov.au Facsimile No. (02) 6285 3929	Authorized Officer BAYER MITROVIC Telephone No. (02) 6283 2164
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International application No.

PCT/AU2004/000863

Box No. I Basis of the opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 a sequence listing
 table(s) related to the sequence listing
 - b. format of material:
 in written format
 in computer readable form
 - c. time of filing/furnishing:
 contained in the international application as filed.
 filed together with the international application in computer readable form.
 furnished subsequently to this Authority for the purposes of search.
3. In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

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Box No. V **Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Claims 2-35	YES
	Claims 1	NO
Inventive step (IS)	Claims 2-35	YES
	Claims 1	NO
Industrial applicability (IA)	Claims 1-35	YES
	Claims	NO

2. Citations and explanations:

The following documents identified in the International Search Report have been considered for the purposes of this report:

D1: Derwent Abstract Accession No.92-170235/21, Class S06,
JP 04-095971

D2: US 2003/0008156 A1

D3: Patent Abstract of Japan
JP 2001-064487 A

Document D1 discloses a liquid developer for electrostatic photography comprising a liquid of high electric resistance and non-soluble ethylene copolymer resin particles obtained by emulsion polymerisation.

Document D2 discloses a composition for electrophoretic deposition comprising a cationic resin emulsion. Electric resistance of the liquid is not specifically disclosed. However, it is common general knowledge in the art that electrophoretic deposition uses low conductivity liquids.

Document D3 discloses a semiconductive composition for use in electrophotography formed by a polymeric emulsion and with dispersion of polypyrrole microparticles. Composition has a high electric resistance.

NOVELTY AND INVENTIVE STEP – CLAIMS 1-35

In light of the above observation it is concluded that claim 1 lack novelty when independently compared to D1 and D3.

Claim 1 also lacks an inventive step when compared to D2, when D2 is read in light of common general knowledge of electrophoretic deposition.

NOTE: As a consequence of this objection remaining claims 2-35 may lack unity.

INDUSTRIAL APPLICABILITY – CLAIMS 1-35

Invention defined in claims 1-35 is industrially applicable.